

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2005-120362-001 DT

02/01/2006

COMM. JULIE P. NEWELL

CLERK OF THE COURT  
L. Carmickle  
Deputy

FILED: 02/06/2006

STATE OF ARIZONA

KEVIN POLLAK

v.

MARVIN KENNETH PENNINGTON (001)

RAYMOND A KIMBLE

JUDGE RAYES  
VICTIM SERVICES DIV-CA-CCC

INITIAL PRETRIAL CONFERENCE

8:44 a.m.

State's Attorney:	Cythia Kelley for Kevin Pollak
Defendant's Attorney:	Raymond Kimble
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

An initial appearance on bench warrant is held.

The Court has conducted an initial pretrial conference (IPTC) this date.

Based upon the avowals made to the Court by the parties, the Court finds/orders as follows:

The State has complied with all discovery.

The Defense has complied with all discovery.

A Final Trial Management Conference is set for 02/22/2006 at 8:30 a.m. before Judge Rayes.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2005-120362-001 DT

02/01/2006

Jury Trial is set for 03/02/2006 at 9:30 a.m. before Judge Rayes.

Last Day: 03/23/2006 (0 DAYS EXCLUDED)

A DEFENDANT'S FAILURE TO APPEAR AT THE FINAL TRIAL MANAGEMENT CONFERENCE OR THE TRIAL MAY RESULT IN A BENCH WARRANT BEING ISSUED FOR HIS OR HER ARREST AND THE FTMC AND TRIAL BEING CONDUCTED IN THE DEFENDANT'S ABSENCE.

THE TRIAL DATE SHALL NOT BE CONTINUED UNLESS A WRITTEN MOTION TO CONTINUE IS FILED AT LEAST 5 DAYS BEFORE THE TRIAL. A CONTINUANCE WILL NOT BE GRANTED UNLESS THE MOTION SHOWS THAT EXTRAORDINARY CIRCUMSTANCES EXIST. (Rule 8.5, Rules of Criminal Procedure and guidelines thereto.)

FINAL TRIAL MANAGEMENT CONFERENCE

The purpose of the Final Trial Management Conference (FTMC) is (1) to complete final preparations for trial, and (2) to resolve pending pretrial issues, including possible settlement of the case.

IT IS ORDERED THAT COUNSEL WHO WILL TRY THE CASE AND THE DEFENDANT(S) SHALL PERSONALLY ATTEND THE CONFERENCE. VICTIMS SHALL BE NOTIFIED OF THE CONFERENCE.

JOINT PRETRIAL STATEMENT

Counsel shall meet and confer prior to the FTMC and jointly prepare a Joint Pretrial Statement (JPTS) using the approved form. The JPTS form is to be provided to the trial Judge prior to the FTMC.

IT IS FURTHER ORDERED affirming prior custody orders.

8:49 a.m. Matter concludes.

NOTICE: IT IS THE RESPONSIBILITY OF COUNSEL TO NOTIFY THE COURT BEFORE WHICH A HEARING WILL BE HELD 48 HOURS IN ADVANCE OF ANY HEARING NEEDING AN INTERPRETER FOR A VICTIM OR A WITNESS. (10 BUSINESS DAYS FOR ANY LANGUAGE OTHER THAN SPANISH.)